

2525 Concord Street Appeal

CPC CU 22-00059, QUASI-JUDICIAL
CPC NV 22-00061, QUASI-JUDICIAL

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Appeal of CPC Decision



- An appeal of City Planning Commission's decision to approve a conditional use development plan with technical modification that the project comply with the OR (Office Residential) zone district of 20-foot minimum front yard setback at 2525 Concord Street.
- An appeal of the City Planning Commission's decision to deny the nonuse variance request to reduce the minimum front yard setback to 10 feet when the minimum is 20 feet along North Cascade Avenue, West Harrison Street, and Concord Street at 2525 Concord Street.

Context Map



General Site Details



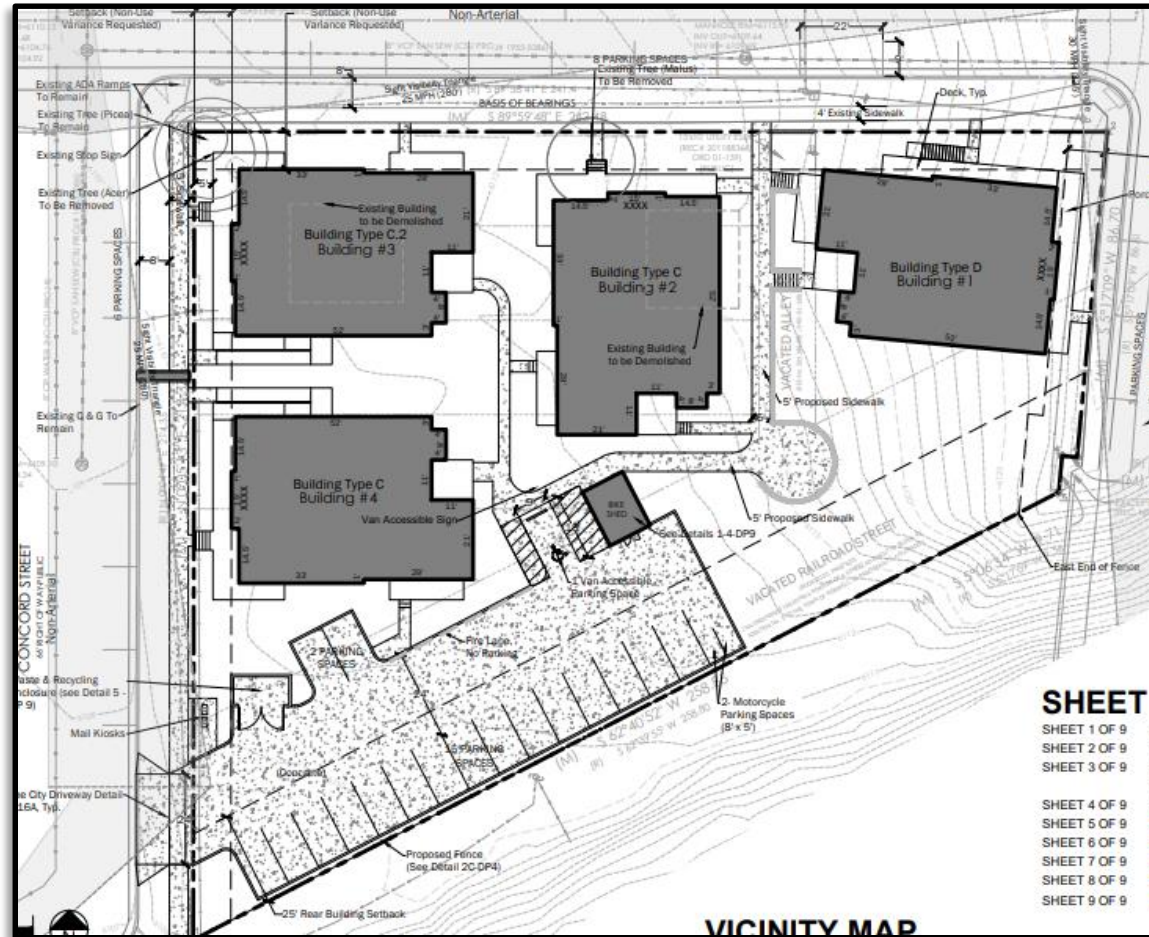
- Zoned OR (Office Residential)
- The project site 0.83 acres in size.
- The project property consists of a single-family residential home and detached garage.
- The property slopes in an east to west direction with slopes ranging from 1% to 25%.
- The property is encompassed by three public rights-of-ways (Concord Street, West Harrison Street; North Cascade Avenue) and the Van Buren Channel/Rock Island Trail future alignment.

- Surrounding Zoning/Land Use:
 - North: R-5 (Multi-Family Residential) and consists of multi-family and single-family residential development.
 - South: OR (Office Residential) and consists of the Van Burn Channel/Rock Island Trail future alignment and commercial development.
 - East: R-4 / NNA (Multi-Family Residential with North Nevada Overlay-South Sector) and consist of single-family and commercial development.
 - West: R-4 (Multi-Family Residential) and consists of multi-family development.

Project Details



- Envisioned infill project consisting of a 21-unit multi-family residential development within four buildings
- The property is located in proximity to arterial streets, transit routes/stops, bike routes/trails, employment, services, and entertainment
- Primary access off Concord Street with on-street parking
- Concurrent request for a nonuse variance to reduce the front yard setback along Concord Street, West Harrison Street, North Cascade Avenue to 10 feet when the minimum is 20 feet.



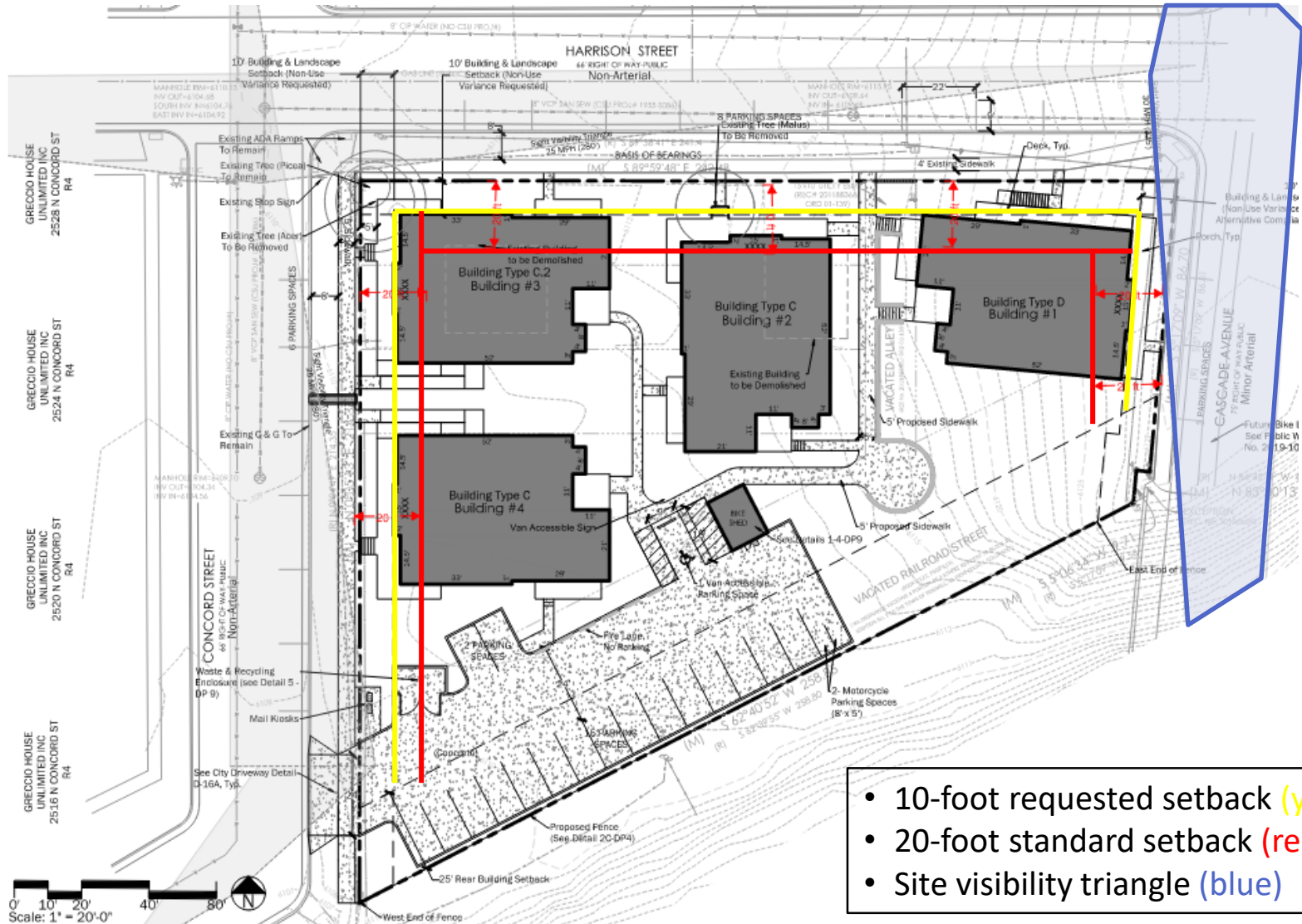
Parking

- Parking for this project is by surface (on-site) parking behind the proposed structures and on-street parking.
- Reduction through the Alternative Parking Options per City Code for on-site parking and on-street parking is being requested.
- A transit stop to the northeast of the site along North Cascade Avenue.
- Adequate on-street parking along the adjacent rights-of-ways.

PARKING REQUIREMENTS

2525 Concord	Qty	Ratio	Parking Required
1 Bedroom Units	5 Units	1.5 Spaces/Unit	8 Spaces
2 Bedroom Units	8 Units	1.7 Spaces/Unit	14 Spaces
3 Bedroom Units	8 Units	2.0 Spaces/Unit	16 Spaces
Subtotal	21 Units		38 Spaces
Reductions:			
Transit (7.4.204.C.1.a) (5%)			
TOTAL			<u>36 Spaces Required</u>
Parking Provided			Parking Provided
Off-Street Parking			18 Parking Spaces
Motorcycle Spaces	2 Motorcycle (7.4.203.C3.b)	(2 Motorcycle=1 Standard)	1 Parking Space
Adjacent On-Street (7.4.204.B)			17 Spaces
Total			<u>36 Spaces Provided</u>

Nonuse Variance Setbacks



- 10-foot requested setback (yellow)
- 20-foot standard setback (red)
- Site visibility triangle (blue)

Public Notification/Involvement



- Public notice was mailed to 241 property owners, on three occasions: internal review, City Planning Commission hearing; and appeal to City Council
- The site was also posted on those three occasions
- City Planning staff received two comments support and eleven objecting to the project.
 - Traffic
 - On-street parking
 - Transition
 - Building Height
- One letter of support was received after the City Planning Commission hear and included with packet

Impacts

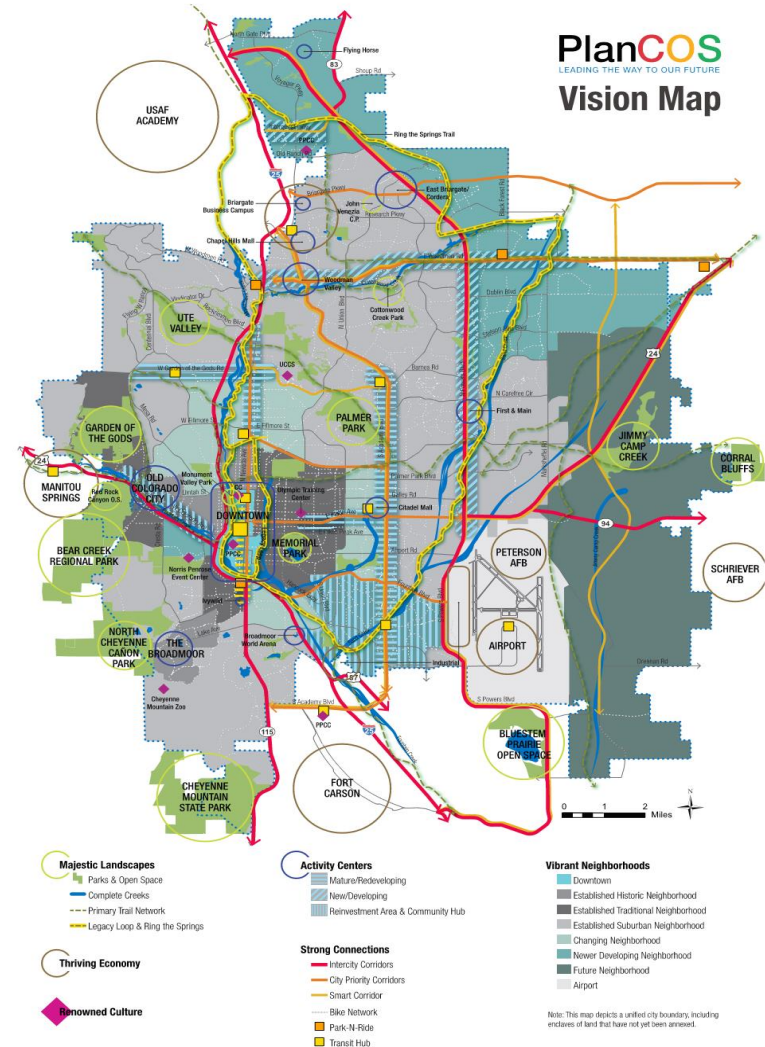
- **Traffic**
 - Based on the number of units proposed, City Traffic Engineering did not require a Traffic Impact Analysis (TIA).
- **Transition / Density**
 - The property is located immediately adjacent to the south sector boundary of the NNA overlay which envisioned that redevelopment would spill-over onto adjacent properties.
 - The Roswell area consists of a mix of commercial, multi-family and single-family residential land uses.
 - This project provides a suitable residential infill transition to the existing land use pattern for the area.
- **Site design and architecture** is complimentary and supportive to the adjacent properties and surrounding neighborhood. It reflects the characteristic of the existing neighborhood.



PlanCOS Conformance



- PlanCOS and its guidance supports infill and redevelopment.
- The project is consistent to three (3) PlanCOS vision themes:
 - Housing for All (Vibrant Neighborhood) – diversity of housing types
 - Embrace Creative Infill (Unique Places) – Embrace thoughtful, targeted, and forward-thinking infill redevelopment
 - Connect Multimodal Transportation (Strong Connection) – connect people and land use.



Planning Commission Decision



- City Planning Commission voted to approve the Conditional Use Development Plan and deny the request for the nonuse variance.
- The vote to approve the conditional use development plan was reconsidered as the denial of the nonuse variance conflicted with the approval of the conditional use development plan which incorporated the setback reduction.
- City Planning Commissions decision to deny was based on:
 - The development plan review criteria set forth in City Code Section 7.5.502 that the project does not comply with the dimensional standards zone district which requires a minimum of 20 feet front yard setback along Concord Street, West Harrison Street and North Cascade Avenue.
 - The safety of the sight line visibility at West Harrison Street and North Cascade Avenue.
- City Planning Commission voted to approved the Conditional Use Development with a technical modification that the project meet current code standards for setbacks.

Appellant Appeal



- The basis of the Appellants appeal:
 - The decision of the City Planning Commission threatens the feasibility of the development by reducing the number of overall units. The intent of the project is to provide an attainable, infill residential development that offers housing that is at market rate or below.
 - Meeting minimum setbacks would push the buildings too close to each other and no longer meet the requirements of fire ratings and openings; a reduction of units.
 - The 10-foot setback is not unreasonable as many homes in the Roswell neighborhood have 10-foot or less front yard setback.
 - The proposed buildings, with the requested 10-foot setback reduction, do not encroach within the traffic visibility triangle at the intersection of West Harrison Street and North Cascade Avenue.
 - Based on the anticipated ReTool, the OR zone classification is proposed to become MX-N (Mixed Use-Neighborhood), and would be in conformance.
 - Front Setback Minimum: 5-feet
 - Front Setback Maximum: 20-feet

Recommendation



- Modify the decision of the City Planning Commission and approve the Conditional Use Development Plan as proposed for 2525 Concord Street, based upon the finding that the application complies with the review criteria for granting a Conditional Use as set forth in City Code Section 7.5.704, and the review criteria for granting a Development Plan set forth in City Code Section 7.5.702(E), and that the appeal criteria found in City Code Section 7.5.906.B are not met.
- Reverse the decision of the City Planning Commission and approve the Nonuse Variance to City Code Section 7.3.104 for 2525 Concord Street project to allow a reduction of the front yard setback to be 10 feet when the minimum is 20 feet, based upon the findings that the application are met, and that the appeal criteria found in City Code Section 7.5.906.B are not met.